

REMARKS

I. Introduction

At the time of the Office Action dated July 28, 2006, claims 1-8 are pending in this application. Of those claims, claims 7 and 8 have been withdrawn from consideration pursuant to the provisions of 37 C.F.R. §1.142(b).

In this Amendment, claim 1 has been amended, and claim 4 has been canceled. Care has been exercised to avoid the introduction of new matter. Specifically, claim 1 has been amended to include the limitation recited in claim 4 with an additional limitation. Adequate descriptive support for this Amendment can be found in, for example, the last paragraph at page 9 bridging between pages 9 and 10, and the first full paragraph at page 10 of the specification.

Now, claims 1-3, 5, and 6 are active in this application. A Request for Continued Examination is filed concurrently herewith.

II. Interview

Applicants acknowledge, with appreciation, Examiner Carpio's courtesy and professionalism in conducting a telephonic interview on October 12, 2006, during which the amendment claim 1 was discussed. It is Applicants' understanding that Examiner Carpio understood what is claimed in amended claim 1, and Applicants' position on the differences between the claimed invention and the cited references. Specifically, the prior art references discussed during the interview were: US Patent 2,949,182 to Williams and US Patent 4,643,929 to Watanabe et al. Applicants respectfully solicit favorable consideration claim 1.

III. The Rejection of Claims 1-6

Claims 1-6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Williams in view of Watanabe. It is noted that the rejection of claim 4 has been rendered moot by cancellation of the claim.

In response, Applicants submit that the applied combination of Williams and Watanabe does not teach, at a minimum, "the radius of the arc of the holding part of said holder is substantially equal to or smaller than half the external diameter of the capacitor plus a thickness of said resin tube after shrinking so as to fix the capacitor in the holding part of the holder," as recited in amended claim 1.

William describes an electrical components package including a container 90 for carrying a plurality of capacitors 70 and supplying them to automatic-assembly machinery. Accordingly, it is apparent for persons skilled in the art that capacitors 70 are held in container 90 so that the capacitors can slidably move in the axial direction of container 90 for assembly by the automatic-assembly machinery.

The secondary reference, Watanabe, is directed to steel materials for use with prestressed concrete. This reference teaches heat-shrinkable synthetic resin tube 6 coated on the surface of steel member 1 (see Fig. 6). The reason why steel member 1 is coated with the resin tube is described in, for example, column 2, lines 52-57.

The wall thickness of the heat-shrinkable synthetic resin tube must be at least 300 microns in order to isolate the steel member 1 and the surrounding concrete layer sufficiently to provide good slippage between the two components. Thus, the prestressing steel material is free to move relative to the concrete.

It is apparent that Watanabe teaches providing heat-shrinkable synthetic resin tube 6 to enable steel material 1 to move relative to the concrete.

Accordingly, the applied combination does not teach that “the radius of the arc of the holding part of said holder is substantially equal to or smaller than half the external diameter of the capacitor plus a thickness of said resin tube after shrinking so as to fix the capacitor in the holding part of the holder” (emphasis added), because Williams teaches allowing capacitors 70 to move in container 90, and Watanabe also teaches allowing steel member 1 to move relative to the concrete. Even if Watanabe’s resin tube is assumed applicable to Williams, that modification cannot arrive at the claimed invention.

Based on the foregoing, Applicants submit that Williams and Watanabe, either individually or in combination, do not teach a capacitor device including all the limitations recited in independent claim 1, as amended, within the meaning of 35 U.S.C. §103. Dependent claims 2, 3, 5, and 6 are also patentable over Williams and Watanabe at least because these claims include all the limitations recited in independent claim 1. Applicants, therefore, respectfully solicit withdrawal of the rejection of claims 1-3, 5, and 6 under 35 U.S.C. §103, and favorable consideration thereof.

IV. Conclusion

It should, therefore, be apparent that the imposed rejections have been overcome and that all pending claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

Application No.: 10/734,290

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty
Registration No. 36,139

Please recognize our Customer No. 20277
as our correspondence address.

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 MEF:TT
Facsimile: 202.756.8087
Date: October 26, 2006

WDC99 1297017-2.043888.0287